

Remarks

Applicant has amended claims 1, 15, 21, 26-28, 30 and 32. Applicant respectfully submits that no new matter was added by the amendment, as all of the amended matter was either previously illustrated or described in the drawings, written specification and/or claims of the present application. (Pars. 12, 15, 18 & 42) Entry of the amendment and favorable consideration thereof is earnestly requested.

The Examiner has rejected claims 1-4, 6, 7, 9, 12, 15-27 and 32 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 7,031,471 (Stefik et al.) in view of U.S. Patent No. 7,295,988 (Reeves).

As is previously submitted in the Response to the previous Office Action, all of the pending claims recite a mark that has data unique to each page of the document (or as claim 30 recites an Optical Variable Device that contains data unique to each page of the file). The Examiner has submitted that “Reeves teaches a mark containing data unique to each page of the printed digital file (Fig. 3) (each digital page may be embedded with the unique physician signature and patient identifier in watermark fashion to ensure its authenticity and for security purposes) (col. 12, lines 57-60).” (Office Action 6/18/08, p. 3) Applicant respectfully disagrees.

For example, Reeves specifically states that “[e]ach digital page may be embedded with the unique physician signature and patient identifier in watermark fashion to ensure its authenticity and for security purposes.” (Col. 12, Ins. 57-60) Therefore, while the physician’s signature is “unique” from any other physician’s signature, the mark that is placed on each page is exactly the same (e.g. contains the physician’s unique signature and the patient identifier). However, Reeves fails to disclose or teach that the mark has data unique to each page of the document (e.g. the data contained in the mark on page one is different than the data contained in the mark on page two, etc.) Reeves is

directed toward a system for providing medical records and for verifying that the records are authentic. (Abstract) The authentication is provided by including a physician's signature and a patient identifier in the mark. (Id.) Nowhere, however, does Reeves teach or disclose that the data in the mark varies from page to page or that the mark contains data unique to each page of the document as recited in all the pending claims.

Obviousness requires a suggestion of all the elements in a claim (*CFMT, Inc. v. Yieldup Int'l Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003)) and "a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does." *KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741, 82 USPQ2d 1385 (2007). Here, we find that the Examiner has not identified all the elements of the pending claims (e.g., the mark contains data unique to each page of the document), nor provided a reason that would have prompted the skilled worker to have arranged them in the manner necessary to reach the claimed invention.

Accordingly, Applicant respectfully requests the Examiner to withdraw his rejection of the pending claims based on the combination of Stefik et al. with Reeves.

It is respectfully submitted that claims 1-28, 30 and 32, all of the claims remaining in the application, are in order for allowance and early notice to that effect is respectfully requested.

Respectfully submitted,

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